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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,429	09/30/2005	Ryuta Miyoshi	278429US6PCT	6064
22850 7590 01/08/2009 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER NATNAEL, PAULO S M				
ART UNIT 2622		PAPER NUMBER		
NOTIFICATION DATE 01/08/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/551,429

**Applicant(s)**

MIYOSHI, RYUTA

**Examiner**

PAULOS M. NATNAEL

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “plurality of information processing means” in claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

2. In claims 1, 3, and 5, the claimed "smallest range" is not clear what it actually is referring to, i.e., "smallest range" of what?
3. For the purpose of this rejection, the claimed "smallest range" is interpreted to mean the smallest difference.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims **3-5** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, the claimed phrase "said re-rendering step" lacks antecedent basis.

In claim 4, the claimed phrase "said rendering control step" lacks antecedent basis.

In claim 5, the claimed limitation "said window" lacks antecedent basis.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bronson.

Considering claim 1, the claimed:

- a) virtual picture storage means for storing a virtual picture, is met by inactive window memory 208 (Fig. 13; see also col. 7, lines 2-11)
- b) a plurality of information processing means for carrying out specified processing and for rendering a picture pertinent to said specified processing on said virtual picture, is met by the bit map processor 210 and the controller, not shown, which reads out the content of the frame memory 214 and outputs this data to a CRT 216. (See, column 9, lines 52-54; Fig.13).
- c) re-rendering range calculating means for calculating, in case a picture rendered by a preset one of said plural information processing means is re-rendered, only the *smallest range* including a picture prior to re-rendering and a picture subsequent to re-rendering, as a re-rendering range, is met by the CPU 204 (Fig.13).
- d) re-rendering requesting means for requesting picture re-rendering to other information processing means rendering only a picture or pictures in said re-rendering range, is met by input devices such as the key board 200 and the pointing device (mouse) 202, Fig.13.

Bronson does not specifically disclose the CPU 204 calculating only the smallest range. However, the CPU 204 calculates and manipulating the display of various windows such as the application program window ABC 22 and the XYZ. The CPU also calculates the display area for other windows according to the user input (cursor

means). It would have been therefore obvious to the skilled in the art at the time the invention was made to readily recognize that the CPU 204 would be capable of calculating and determining the rendering or displaying of each and every window on the multiple window display device, as well as determining the range of the multiple windows within the display system.

Regarding claim 2, the picture display apparatus according to claim 1 wherein a rendering position for a picture rendered by said information processing means is predetermined and wherein said re-rendering range calculating means calculates the re-rendering range based on a predetermined rendering position, is met by the CPU 204, fig.13.

Claim 3 is a method claim of claim 1 and therefore claim 3 is rejected for the same reasons as in claim 1.

Considering claim 4, the picture display method according to claim 3 wherein a rendering position for a picture rendered by said information processing means is predetermined and wherein said calculating includes calculates the re-rendering range based on said predetermined rendering position, is met by CPU 204, fig.13.

Considering claim 5, the claimed:

a) a picture display system comprising virtual picture storage means for storing a virtual picture surface, is met by inactive window memory 208 (Fig. 13; see also col. 7, lines 2-11)

b) at least one application for carrying out specified processing and for rendering a picture pertinent to said specified processing on said virtual picture surface, is met by the bit map processor 210 (Fig.13) and the controller, not shown, which reads out the content of the frame memory 214 and outputs this data to a CRT 216, (See application programs rendered on screen as illustrated on Figs. 1-8; col, 9, lines 52-54).

c) a picture server for controlling the picture rendering function of said application; said picture server calculating a re-rendering range only of re-rendering of said window by said application and requesting re-rendering of only said re-rendering range to another application rendering a window in said re-rendering range, is met by CPU, Fig. 13.

Bronson does not specifically disclose the CPU 204 calculating only the smallest range. However, the CPU 204 calculates and manipulating the display of various windows such as the application program window ABC 22 and the XYZ. The CPU also calculates the display area for other windows according to the user input (cursor means). It would have been therefore obvious to the skilled in the art at the time the invention was made to readily recognize that the CPU 204 would be capable of calculating and determining the rendering or displaying of each and every window on the multiple window display device as well as determining the range of the multiple windows within the display system.

***Response to Arguments***

8. Applicant's arguments filed 10/14/08 have been fully considered but they are not persuasive. Applicant argues:

1) However, it is respectfully submitted that Bronson does not describe that CPU 204 calculates only the smallest range including a picture prior to re-rendering and a picture subsequent to re-rendering, as a re-rendering range. Figure 13 of Bronson does not describe this feature, and no other portion of Bronson has been cited with respect to this feature.

Moreover, Bronson does not describe that keyboard 200 and mouse 202 request rendering only a picture or pictures in said re-rendering range, nor has any portion of Bronson describing this subject matter been cited.

2) As noted above, Bronson does not describe that CPU 204 calculates only the smallest range including a picture prior to re-rendering and a picture subsequent to re-rendering, as a re-rendering range. Further, Bronson does not describe requesting rendering only a picture or pictures in said re-rendering range, nor has any portion of Bronson describing these features been cited. Thus, it is respectfully submitted that Bronson does not teach "calculating" and "requesting" as defined in amended Claim 3. Consequently, Claim 3 (and Claim 4 dependent therefrom) is not anticipated by Bronson and is patentable thereover.

3) However, Bronson does not describe that CPU 204 calculates a re-rendering range of only re-rendering of a window. Further, Bronson does not describe that CPU 204 requests re-rendering of only said re-rendering range, nor has any



portion of Bronson describing these features been cited. Thus, it is respectfully submitted that Bronson does not teach "a picture server" as defined in amended Claim 5. Consequently, Claim 5 is also not anticipated by Bronson and is patentable thereover.

9. Examiner Response

The applicant as shown in items 1-3 above is essentially arguing the same thing: that the CPU 204 does not calculate a re-rendering the smallest range of only re-rendering of a window. Examiner disagrees. Bronson discloses a window management system for simulating off-screen document storage and retrieval comprising an window memory 208 (Fig. 13; see also col. 7, lines 2-11) corresponding to the claimed virtual memory, bit map processor 210 and controller that reads out the content of the frame memory 214 and outputs data to a CRT 216 (See, column 9, lines 52-54; Fig.13), and a CPU 204 (Fig.13) which correspond to the plurality of information processing means, as well as input devices such as the key board 200 and the pointing device (mouse) 202, Fig.13, that correspond to re-rendering requesting means. Bronson does not specifically disclose the CPU 204 *calculating only the smallest range*. However, the Bronson discloses that CPU 204 calculates and manipulates the display of various windows such as the application program window ABC 22 and the XYZ. The CPU also calculates display area or region for other display windows according to the user input (cursor means). It would be obvious to the skilled in the art to readily recognize that the CPU 204 would be capable of calculating and determining the rendering or displaying of

each and every window on the multiple window display device, as well as determining the range (smallest or largest) or difference of the multiple windows within the display system.

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **PAULOS M. NATNAEL** whose telephone number is (571)272-7354. The examiner can normally be reached on 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PAULOS M. NATNAEL/  
Primary Examiner, Art Unit 2622

PMN  
January 4, 2009